

* Administration of justice as the end of law may be questionable, but for the purpose of our discussion it is assumed.

¹ Pound, R., *supra*.

² *Supra*.

³ Graham, B. "The Intelligent Investor" (New York: Harper and Brothers, 1954), p. 112.

⁴ Jackson, R. H., in *Morissette v. United States*, 342 U.S. 246, 276 (1952).

⁵ Pound, R., *supra*, p. 606.

⁶ *Supra*.

⁷ *Supra*.

⁸ *Supra*, p. 607.

⁹ Holmes, O. W. "Certainty of Criminal Justice" in *Justice Oliver Wendell Holmes*, edited by Shriver, H. C. (New York: Central Book Company, 1936) Part I, Early Book Notices, p. 111; see also Cohen, M. R., "The Place of Logic in Law" (Harvard Law Review, Cambridge, Mass.: The Harvard Law Review Association, 1916; vol. XXIX, 1915-1916).

¹⁰ Frank, J. "Mr. Justice Holmes and non-Euclidean Legal Thinking", *The Cornell Law Quarterly*, Ithaca, N.Y., 1932; vol. XVIII (1931-32), pp. 568-603.

¹¹ *Supra*, pp. 571-572.

¹² *Supra*, p. 593.

¹³ Holmes, O. W. in *Lochner v. New York*, 198 U.S. 45, 76 (1905).

¹⁴ *Supra*.

¹⁵ Holmes, O. W. in *New York Trust Co. v. Eisner*, 256 U.S. 345, 349 (1921).

¹⁶ Holmes, O. W., "The Path of the Law", *Collected Legal Papers* (New York: Harcourt, Brace and Company, 1920), pp. 181, 182.

¹⁷ *Supra*.

¹⁸ Dewey, J., "Logical Method and Law", *The Cornell Law Quarterly*, Ithaca, N.Y., 1925, vol. X (1924-25), p. 21.

¹⁹ Quoting again Holmes: "The actual life of the law has not been logic: it has been experience. The felt necessities of the times, the prevalent moral and political theories, intuitions of public policy, avowed or unconscious, even the prejudices which judges share with their fellow men, have had a good deal more than the syllogism in determining the rules by which men should be governed." Holmes, O. W., "The Common Law" after Dewey, J., *supra*.

²⁰ Dewey, J., *supra*.

²¹ *Supra*, p. 22.

²² Holmes, O. W., "Collected Legal Papers", after Dewey, J., *supra*, p. 20.

²³ Cohen, M. R., *supra*, p. 630.

²⁴ *Supra*.

²⁵ *Supra*.

²⁶ *Supra*.

²⁷ Von Ihering "Im Juristischem Begriffshimmel" in "Schertz und Ernst in der Jurisprudenz" (11th ed. 1912), p. 245, as described in P. F. Cohen, "Transcendental Nonsense and the Functional Approach", *Columbia Law Review*, New York, 1935, vol. XXXV (1935), p. 809.

²⁸ Cohen, F. S., *supra*.

²⁹ *Supra*.

³⁰ Vinson, F. M. in *Dennis v. United States*, 341 U.S. 484, 508 (1951).

³¹ See Cohen, F. S., "Field Theory and Judicial Logic", *The Yale Law Journal* (New Haven, The Yale Law Journal Company Inc., 1950), vol. 59 (1949-50), pp. 238-272.

³² *Supra*, p. 271.

³³ *Supra*.

³⁴ Holmes, O. W., "The Common Law" (Boston: Little, Brown and Company, 1881), p. 310.

³⁵ Cohen, F. S., *supra*, p. 272.

³⁶ *Supra*.

³⁷ Cohen, M. R., *supra*, p. 638.

³⁸ Dewey, J., *supra*, p. 17.

INTELLECTUAL RESPONSIBILITY AND ARBITRARY DIVISIONS IN THE SOCIAL SCIENCES

A. M. HEALY*

DISSATISFACTION with the nature and teaching of the social sciences has been almost universal, ever since they gained recognition as "proper" disciplines worthy of university study. For example, the pioneer American sociologist William Graham Sumner complained in 1879 that "the social sciences are, as yet, the stronghold of many pernicious dogmatisms".¹ Ninety years later the young sociologist John F. Szwed, editing a volume on America's racial problems, indicted the social sciences as "often disappointing".² (To cap this, one of Britain's most eminent sociologists, writing to me in 1973, branded his confrères "an unadventurous lot".)

This kind of dissatisfaction, of course, can indicate either vitality or malaise. I incline to the latter interpretation. My fear is that quality (in terms of continuously appraising and improving the basic approach) is being sacrificed to stereotyped quantity. Perhaps the greatest problem today derives from the fact that compartmentalisation (both regional and thematic) is galloping ahead, while the fundamental need for broad comparative perspective has been left behind and is increasingly derided by limited "specialists".

Western scholars have given up too easily the Renaissance ideal of encyclopaedic man, at least in relation to significant culture/idea systems. Our ready access to masses of detailed data, together with the traditional divisions among university "subjects", have accentuated a trend towards the exclusive study of narrow specifics. (This is particularly ominous when it is tied in with Western cultural arrogance: though ironically we may yet be brought back to sanity by Asian and African scholars who, being caught in complex cross-cultural situations, find our divisions obstructive.)³ To the social scientist, as to the true student of the humanities, the world as a whole, in its total time-scale, should be his sphere of reference; but the majority now—whether through inertia or despair or personal ambition—seem to be rejecting this ideal, and content themselves with working within a framework dictated essentially by the cultural premises of their native environment.

On this basis, however, the social sciences cannot properly function or progress, still less contribute to human betterment.

* Senior Lecturer in History, Wollongong University College.

While we have all done our share of detailed studies (of particular, usually localised, institutions or movements or ideas), any *priority* assigned to specialisation represents a betrayal of the elementary intellectual principle that all meaningful knowledge derives from comparisons; and that the wider the context of these comparisons, the deeper the ultimate understanding. If the social sciences are ever fully to justify their status as sciences, they must observe this principle.

A particular problem in Australia is that the strongly Europe-centred bias of most social science departments—a hangover from the nineteenth century—is accentuating the problem of hyper-specialisation. What these departments and their staffs are doing is to promote and extend single-culture reference points. (In this country one can see this patently as a kind of defence mechanism.) This process means that the major objective and determinant of the social sciences—thoroughgoing perspective—is thrown out of the window (on occasions, with bigoted glee). In other words, in many social science (and humanities) departments in Australian universities we find an institutionalisation of parochialism. Non-Australian or non-European studies are slowly spreading, but often in the face of clamorous opposition behind the scenes. Reinforcing this parochialism we have a factor which should be brought into the open, but is usually swept under the carpet: the vicious-circle system of student sycophancy on the one side, and staff patronage on the other. The Ph.D. mania is aggravating this problem by making the most able postgraduate students feel vulnerable; under the pressure of getting his "ticket" and eventually a comfortable niche, the average Ph.D. candidate—understandably perhaps—will select a topic that is "manageable" and uncontroversial, and one likely to find favour within a particular department. How is a university to produce bold and original thought under such conditions? On this ground alone internal recruitment and promotion within universities should be heavily restricted.

The urgent need within universities world-wide (but particularly in Australia) is for a combination of interdisciplinary study and cross-cultural perspective. The oneness of mankind, plus the enormous richness of his ideas and cultures, should be the main stimuli to the social scientist; but the pressures towards ever narrower specialisation (which is ultimately self-defeating because of the lack of broad feedback) are in danger of negating these stimuli altogether. One index to the present situation is the avalanche of turgid, meaningless "studies", presumably as part of the "publish or perish" syndrome. (It has given me considerable pleasure to refuse point-blank to do reviews of some of these.)

This academic sickness should be more obvious to historians, who have to be wide-ranging in approach, than to others: for the historian cannot adequately analyse the nature or problems of a particular society without using all the disciplines that enable him to understand the total functioning of that society. And when, as he must, he works towards overall perspective in relating phenomena (nationalism, etc.) among societies, he will automatically cross cultural boundaries. Many historians, however, have managed, against all the odds, to make themselves culture-bound; and it is now the rare, brave "universalist" who is vilified.⁴ This is turning the discipline upside-down; but "upside-downing" bedevils the social sciences generally, producing much heat and little light.

To take just one case of present controversy, that of race and racism, a great deal of nonsense would be eliminated if historians, sociologists, psychologists and philosophers worked in a co-ordinated way with geneticists and physical anthropologists—and *vice versa*, one might add. Perhaps more importantly, they would understand racism much better if they had placed themselves in situations of active discrimination. This is where the need for experience comes in. But the existing system of university organisation (indeed, the whole ethos of the system) pigeon-holes would-be scholars prematurely in narrow boxes in their plate-glass towers; and the illusion is fostered that everything can be studied third- or fourth-hand from books and journals (whose writers also are likely to have been observing from afar).

At the risk of being egocentric—a risk I gladly take—let me quote a personal experience in this country. Back in 1958 I was working in Kenya when I was offered the chance, by the Institute of Advanced Studies at the A.N.U., to do some research on administration in New Guinea. At that time I knew nothing at all of Melanesia; though I had been knocking around a variety of colonies for several years. As an introduction, I got hold of some policy statements by Australia's Minister for Territories. My East African colleagues found these amusing; I found them saddening. They embodied a set of preconceptions which had come to be accepted as gospel within Australia, but which I have described elsewhere as "painted relics of the Kipling era".⁵ They were not only painfully anachronistic but they excluded, sometimes specifically and sometimes unconsciously, all the potential benefits of comparative study and experience. Later, back in Australia, I found that the majority of academics, whatever their particular discipline, either shared these unexamined preconceptions (which they, like the minister, had been conditioned to accept); or, if

they had some experience, they refused to apply it for fear of government or social reaction. Most were content, apparently, to work *within* the hand-me-down premises, when it was the premises themselves that needed analysis, on a comparative, cross-cultural and interdisciplinary basis.

This example illustrates both the main types of intellectual *irresponsibility* which afflict so many of the social sciences. The Vietnam war brought out many similar examples in both the United States and Australia. Scholars reared on a limited and limiting one-culture diet were able to influence the entire course of policy, ignorant of the enormous complexities of a cross-cultural situation. Those few scholars who *had* extensive experience of the right kind were either trapped in their own fields of specialisation, or else were blackballed by the majority who had never risen above the ideological persuasions of their time and place. (One can find a remarkable statement of realisation and partial recantation in a little book by the historian Arthur Schlesinger Jnr.⁸)

As another brief but practical example, many of the evils that have been associated with the Green Revolution in the underdeveloped world might have been avoided (a) if the alien values implicit in many programmes had been recognised; and (b) if agriculturalists, land tenure specialists, and the like, had discussed problems with sociologists, historians and economists having appropriate experience.

In short, what I have been saying has implications far beyond the groves of academe. It involves the rethinking of intellectual approaches and the reshaping of academic organisations, in an effort to ensure our very survival. I have no illusions about the obstacles here, which in kind are similar to those in the United States. Noam Chomsky, the linguist turned social scientist, wrote bitterly in 1967 that "there is indeed something of a consensus among intellectuals who have already achieved power and influence, or who sense that they can achieve them by 'accepting society' as it is and promoting the values that are 'being honoured' in this society".⁷ Robert Engler put it more succinctly when, with equal bitterness, he wrote that "the university has joined the club".⁹

Now—if anyone is still with me—what can be done? First, obviously, one needs a recognition of the faults, and the sources of those faults, as I have outlined them: for without this no one will do anything. (I might illustrate this from the small institution where I currently teach, the Wollongong University College. With others I worked hard to achieve autonomy—synonymous with development—for the institution; but we already find built in to

it a pre-eminent emphasis on the technologies; strong Europe-centred and parochial biases; and conventional ways of thinking about academic disciplines and organisation. In this kind of environment the prospects for more intellectually responsible ideas and organisation seem dim.)

Second, if the faults are admitted, one can approach them on both the personal and the institutional level. On the former, the individual has to discover the essential oneness of the social sciences, the limitations of a conditioned native-culture approach, and the overriding necessity to aim for genuine perspective. Budding social scientists must escape from universities for a time: they should be pushed out of the system, not absorbed into it. They need to become involved in real problems in the real world. This might be done if it were made a requirement that, before getting a permanent university post, every postgraduate in the social sciences spend a minimum of five years dealing with practical responsibilities in a society radically different from his native one (preferably, multiracial and multicultural). I have rarely seen a person with adequate academic preparation who has not been transformed by this kind of experience. (Curiously, this was better recognised in 18th century Europe than it is now. Voltaire argued for the use of all relativist techniques, including extensive travel, to give perspective on social questions.⁹ True, a century previously Montaigne had warned that most travellers "carried themselves around on their backs"—but today *proper* introduction to the social sciences could limit this danger.)¹⁰

Third, on the institutional level universities could do much to alter archaic departmentalisation by establishing, for both teaching and research, a variety of relatively small schools (some regional in emphasis, and some thematic), together with a range of more specialised "linking" centres and institutes. This type of organisation could *force* the kind of integrated, interdisciplinary approach which is now so desperately needed in the social sciences. In 1971 I was greatly impressed at Britain's University of East Anglia to find that the undergraduate School of Development Studies had scrapped departments altogether, thus virtually compelling "specialists" to develop interdisciplinary courses: by this means work in individual disciplines is made to interlock; and the ideologies and prejudices of individual staff tend to offset one another. I argued for this kind of organisation at the Wollongong University College, almost five years ago; but it became obvious that I was talking through cottonwool at a brick wall: perhaps entirely new universities have a better chance of rational organisation.

I am not unaware of a few attempts that have already been made

in this country. To take two examples, however, the thematic schools system at Macquarie University seems to the outsider to have had negligible interdisciplinary impact, while it could be argued that it has created new divisions. And the 20 specialised centres and units at the A.N.U. (the "third dimension", as the university recently called them) appear to have no analogues for basic teaching purposes within the School of General Studies there.¹¹

In summary, I think we have a long way to go in recognising the problem and doing something about it. My conclusion—unpalatable as it will be to some—is that many Australian social science departments are still turning out limited monocultural "specialists" who are generally content to make a "career" within the local system. This is fundamentally wrong: an abdication of real intellectual responsibility. For a small but rich country steadily becoming involved in the massive complexities of Asia, the implications of perpetuating this are alarming.

NOTES

¹ Quoted by R. C. Bannister, Jr., "William Graham Sumner's 'Social Darwinism': A Reconsideration", *History of Political Economy*, V, 1, 1973, p. 67.

² J. F. Szew (ed.), *Black Americans*, Forum Lectures, U.S.I.A., Washington, D.C., 1969, p. v.

³ For an excellent locally published example of wide-ranging cross-cultural scholarship see the recent book by the Professor of Malay Studies at the University of Singapore: Syed Hussein Alatas, *Modernisation and Social Change—Studies in Social Change in South-East Asia*, Sydney, 1972. He includes a salutary warning against mere dilettantism as a reaction to over-specialisation.

⁴ The main target, of course, has long been the astonishing Arnold Toynbee. For his reasoned reply see the new Oxford, 1972 one-volume edition of his *Study of History*, esp. pp. 46-8. On the other side the Oxford historian H. R. Trevor-Roper, a dedicated Europeanist, a few years ago wrote some truly remarkable things about China, after a three-week visit. It was also Trevor-Roper who made the egregious claim that pre-European Africa had no history: to which Roland Oliver, Professor of African History at London University, made the apt reply that according to all the evidence both the Trevors and the Ropers originated in Africa.

⁵ Allan Healy, "The Intercultural Problem: New Guinea", *Meanjin Quarterly*, XXIX, 4, 1970, p. 463.

⁶ A. Schlesinger, Jr., *The Bitter Heritage—Vietnam and American Democracy 1941-66*, New York, 1967. The French sociologist Paul Mus illuminated the key problems, after many years work in the country: much of this work is carried over into English in Frances FitzGerald's *Fire in the Lake*, Boston, 1972.

⁷ N. Chomsky, "The Responsibility of Intellectuals", *New York Review of Books*, 23 February, 1967.

⁸ R. Engler, "Social Science and Social Consciousness—The Shame of the Universities", in T. Roszak (ed.), *The Dissenting Academy*, Penguin paperback, 1968, p. 168.

⁹ F. M. Voltaire, *Philosophical Dictionary*, trans. and ed. P. Gay, New York, 1962, I, p. 265.

¹⁰ This is from Montaigne's *Journal du Voyage*, written in 1581 but not first published until 1774. Of course today the social scientist would regard mere travel as either worthless or dangerous, serving only to confirm established preconceptions. Sustained and perceptive residence by a trained person in a different society is an entirely different matter.

¹¹ The A.N.U. News, VIII, 3, November 1973, is devoted to these Centres and Units. This writer was associated with the first of them in its early stages. Generally on the theme of this article, see J. Hajnal, *The Student Trap—A Critique of University and Sixth Form Curricula*, Penguin Books, 1972.

MEDICAL SOCIOLOGY—A BOUNDARY BETWEEN THE SOCIAL, BEHAVIOURAL AND MEDICAL SCIENCES

PETER J. BLIZARD*

Introduction

FOR the past four years the author has conducted an interdisciplinary course in Medical Sociology. The course is "interdisciplinary" in two distinct senses: the course content is drawn on and nourished by many disciplines, and the students—never more than 30 in number¹—bring to the course a variety of disciplinary perspectives. A conscious attempt is made to ensure that in any one year there is a careful balance between "students" and "practitioners". In practical terms this means that in any one year the class may be comprised of, say, third-year sociology students, fifth-year medical students,² advanced students/practitioners of nursing, together with a sprinkling of hospital matrons, resident medical officers, family planning centre personnel, and other practitioners within the health professions.

In this contribution I will provide readers with a description of the course of studies,³ and these data will then be used to generate some brief discussion of two questions: First, what is the importance of interdisciplinary teaching in the medical and allied health sciences?; and, second, how can such studies best be fostered?

A Course in Medical Sociology

Any course of studies can be considered in terms of *process* and *content*—and "interdisciplinary" elements can relate to both of these dimensions. Over the past four years the *process* used in teaching the course has remained relatively constant—that is, a successful recipe was devised, and has only required minor subsequent revision; the *content* has varied considerably from year to year, and this is generally decided jointly by the students and myself.

Process: All of the topics that comprise the course content are discussed by way of seminars. In each three-hour session—and they seldom finish on time—two seminar topics are discussed. Generally

*Tertiary Education Research Centre, University of New South Wales.

¹ The need to restrict the number of participants to 30 is largely dictated by the teaching methods which are used, and not by the number of persons wishing to enrol in the course.

² No medical student is permitted to enrol until he/she has had a minimum of one year's "clinical experience".

³ Further details of course content and other information are available on request from the author.